

Fiscal Note

Fiscal Services Division



HF 537 – Educational Setting of Children (LSB 1941HV)

Analyst: Jennifer Acton (Phone: (515) 281-7846) (jennifer.acton@legis.iowa.gov)

Fiscal Note Version – New

Description

House File 537 relates to the consideration of the educational setting of a minor child in a child custody proceeding.

Background

- In FY 2012, there were 7,832 filings of divorce cases involving children, plus approximately 1,000 modifications of divorce decrees involving children, for a total of approximately 9,000 cases involving child custody arrangements.
- According to the judges' weighted caseload formula, judges spend an average of more than 2 hours (129 minutes) per divorce and divorce modification cases.
- The hourly rate for a District Court Judge is \$98.40.
- The cost of one divorce or modification hearing with the District Court Judge is \$387, including the costs of a court reporter, court attendant, and Clerk of Court staff.

Assumptions

- This Bill will add an additional 30 minutes per case as the judge reviews details on parental responsibilities regarding physical access to the child during the school day and instances when parental consent or authorization is required.
- Adding more details to each child custody-related decree creates more instances or specific provisions in the court order where one of the parties could claim a violation and seek an additional modification.
- If the current modifications increase by 25.0%, it will result in 250 more modifications per year. If the current modifications increase by 50.0%, it will result in 500 more per year. The amount of time a judge spends on one modification will be 159 minutes.
- The cost of one modification hearing at 159 minutes is \$437.

Fiscal Impact

This Bill will result in additional cost to the Judicial Branch ranging from \$550,000 to \$660,000 per year.

Source

Judicial Branch

/s/ Holly M. Lyons

March 18, 2013

The fiscal note for this bill was prepared pursuant to **Joint Rule 17** and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.
